



Sen. Michael W. Frerichs

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09700HB4753sam002

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1 AMENDMENT TO HOUSE BILL 4753

2 AMENDMENT NO. _____. Amend House Bill 4753 as follows:

3 on page 1, by replacing lines 13 through 19 with the following:

4 "Renewable energy facility" means a generator that is
5 attached to a building or parcel of land and that is powered by
6 methane gas generated from landfills, solar electric energy or
7 wind, dedicated crops grown for electricity generation,
8 anaerobic digestion of livestock or food processing waste, or
9 fuel cells or microturbines powered by renewable fuels, ~~or~~
10 hydroelectric energy, or waste."; and

11 on page 3, line 26, by replacing "evidence" with "evidence,";
12 and

13 on page 4, line 1, by replacing "district" with "district,";
14 and

1 on page 4, line 2, by replacing "provided" with "provided,";
2 and

3 on page 4, line 12, by deleting "district or"; and

4 on page 8, by replacing lines 2 and 3 with the following:

5 "(11) make, adopt, amend, and repeal ordinances,
6 resolutions, bylaws, rules, and regulations not
7 inconsistent with this Act, provided, however, that such
8 ordinances, resolutions, bylaws, rules, and regulations
9 shall not be applicable to the operation and maintenance of
10 renewable energy or waste disposal activities by private
11 businesses or concerns or other public entities;"; and

12 on page 8, line 12, by replacing "Federal" with "federal"; and

13 by replacing line 25 on page 8 through line 2 on page 9 with the
14 following:

15 "(b) The board must:

16 (1) remit all money collected from a renewable energy
17 facility, exclusive of operations, maintenance, capital,
18 debt service, and investment costs, to the county in which
19 the district is located; and-

20 (2) comply with the requirements that apply to
21 pollution control facilities under the Environmental
22 Protection Act, as well as any other applicable permitting

1 and regulatory requirements under that Act, if it intends
2 to own, operate, or construct a generator that is attached
3 to a building or parcel of land and is powered by fuel
4 cells or microturbines that are, in turn, powered by waste.

5 (c) The board is not authorized to and shall not use
6 eminent domain or quick take proceedings to acquire property.";
7 and

8 on page 9, line 9, by replacing "a board" with "the board of
9 that district"; and

10 on page 9, line 22, by replacing "or office at which" with ",
11 or office at which,"; and

12 on page 12, line 5, by replacing "order" with "order,".